30.08.2007 **Present:** Ms.Devyani Sharma, Advocate, for the appellants.

Mr.B.S. Attri, Advocate, for the respondents.

CMP No. 876 of 2007.

Heard learned counsel for the parties. The application is allowed and the name of appellant No.1 is ordered to be changed as prayed for. Amended memo has been filed. Be taken on the record. The application is disposed of.

CMP No. 877 of 2007.

This application has been filed by the appellants with the prayer that the appeal may be permitted to be withdrawn in view of out of court settlement arrived at between the parties. Photocopy of the agreement of out of court settlement has been filed with this application as Annexure A-2. The application is not opposed by the respondents. Learned counsel for the respondents submits that no reply is intended to be filed and the application be allowed as prayed for. The application is accordingly allowed. Permission is granted to the appellants to withdraw the appeal. The application is disposed of.

CMP No 878 of 2007.

This application has been filed with the prayer that the amount of income tax deposited with the Income Tax authorities and the balance amount be refunded in favour of the claimants. This application is allowed. It is directed that as agreed upon between the parties, the amount of compensation be released in favour of the claimants-respondents. Out of this amount a sum of Rs. 6,544/- is directed to be paid to the appellants in lieu of the income tax deposited by them and be remitted to their Bank

account. The remaining amount be released in favour of the claimants in proportion to their shares along with interest on furnishing their respective bank account numbers. Learned counsel for the claimant submits that the particulars will be supplied within three weeks from today. The application is disposed of.

RFA No. 164 of 2001.

Dismissed as withdrawn. All interim orders shall stand vacated.

CMP No. 879 of 2007.

Allowed. Court fee in accordance with law is directed to be refunded to the appellants.

August 30, 2007 **(Dev Darshan Sud)**
(aks) **Judge**